

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of)	
)	
Connect America Fund et al.)	WC Docket 10-90
)	
Determination of Rate-of-Return Study)	DA 15-868
Areas 100 Percent Overlapped by)	
Unsubsidized Competitors)	
)	

**COMMENTS OF
BRIGHT HOUSE NETWORKS, LLC**

Bright House Networks, LLC (“BHN”), by undersigned counsel, hereby submits these comments in response to the Wireline Competition Bureau’s (“Bureau”) Public Notice seeking comment on its preliminary determination of rate-of-return study areas which are 100% overlapped by an unsubsidized competitor, DA 15-868 (“Public Notice”), in the above-captioned proceedings.

As explained below, and in the accompanying declaration, BHN currently offers fixed voice and broadband service which satisfy the speed, latency, usage and comparable rate benchmarks established by the Commission to all locations within the blocks reported on its Form 477 reports, and which overlap the service area of Smart City Telecom, LLC, (“Smart City”). Accordingly, the Bureau should make a final determination that the affected study area is 100% overlapped and served by an unsubsidized competitor, and therefore eliminate the high-cost support directed to Smart City in such areas.

BHN is a leading cable broadband provider that has deployed technologically advanced systems in Florida, and other states, to deliver a suite of voice, video and broadband services. Specifically, the company is a facilities-based provider of residential fixed voice and fixed broadband service. At the same time, the company does not receive high-cost support. Thus, BHN qualifies as an “unsubsidized competitor” under Commission rules.

In eighteen of the census blocks¹ in Study Area 210330, currently served by Smart City, BHN is offering to all of the locations reported on the Form 477 which overlap that Study Area voice and broadband service which satisfy the speed, latency, usage and comparable rate benchmarks established by the Commission. Specifically, BHN is offering fixed voice service at rates below the 2015 reasonable comparability benchmark of \$47.48.

In addition, the company’s broadband service is provided at actual download speeds of at least 10 Mbps and actual upload speeds of at least 1 Mbps. The broadband service is provided with a minimum usage allowance of at least 100 GB/month; at a roundtrip latency of 100 ms or less; and at a price that is reasonably comparable to rates in urban areas. Further, in each of these blocks BHN: has deployed voice and broadband-capable physical assets in such block(s); holds itself out to the public as offering a service; and, is willing and able to provide service to a requesting customer within seven to ten business days without an extraordinary commitment of resources. The facts set forth in these comments are affirmed by the accompanying Declaration of Roberta Segers, Vice President of Billing and CRM Services at BHN.

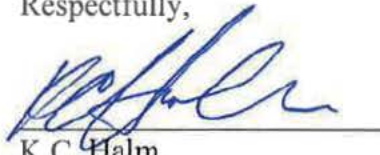
The Commission has previously recognized that directing subsidies to incumbent providers in those areas where unsubsidized competitors have deployed voice and broadband capable networks is a waste of resources, conflicts with the Commission’s goals of competitive

¹ The eighteen census blocks at issue are identified in the Commission’s database available at <https://www.fcc.gov/maps/100pct-overlap-map> (showing census block overlap data for Bright House networks in SAC 210330).

neutrality, and has the potential to undermine incentives for competitive providers to make significant network investments (supported by private capital) in such areas.² The Bureau should therefore take this opportunity to affirm Commission goals by eliminating all high-cost support to Smart City for the Study Area locations which are 100% overlapped by those areas where BHN operates as an unsubsidized competitor.

For the reasons set forth herein, BHN respectfully requests that the Bureau make a final determination that the census blocks and locations identified as served by BHN in the Commission's records be treated as 100% overlap and served by an unsubsidized competitor, and therefore eliminate the high-cost support directed to Smart City in such areas.

Respectfully,



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On behalf of Bright House Networks, LLC

August 28, 2015

² *Connect America Fund et al.*, WC Docket Nos. 10-90, Report and Order, 26 FCC Rcd 17663, 17766-68, paras. 280-84 (2011).

DECLARATION

**of Roberta Segers
on behalf of
Bright House Networks, LLC**

***In re: Wireline Competition Bureau Determination of Rate-of-Return Study Areas 100
Percent Overlapped by Unsubsidized Competitors; WC Docket 10-90; DA 15-868***

I, Roberta Segers, Vice President of Billing and CRM Services at Bright House Networks, LLC ("BHN") provide this declaration in support of BHN's comments showing that BHN currently offers fixed voice and broadband service to all locations within the blocks reported on its Form 477 reports, and which overlap the service area of Smart City Telecom, LLC ("Smart City").

I have direct knowledge of the facts set forth in this statement as the result of my responsibilities as Vice President of Billing and CRM Services at BHN. In that role, I manage the business support systems used by BHN to provide service for broadband, voice and video services. These systems store all addresses where BHN provides broadband services. From time to time I also oversee various regulatory compliance obligations. I certify to the accuracy of this information, to the best of my knowledge.

In eighteen of the census blocks¹ in Study Area 210330, currently served by Smart City, BHN is offering to all of the locations reported on the Form 477 which overlap that Study Area voice and broadband service which satisfy the speed, latency, usage and comparable rate benchmarks established by the Commission. Specifically, BHN is offering fixed voice service at rates below the 2015 reasonable comparability benchmark of \$47.48.

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In addition, the company's broadband service is provided at actual download speeds of at least 10 Mbps and actual upload speeds of at least 1 Mbps. The broadband service is provided with a minimum usage allowance of at least 100 GB/month; at a roundtrip latency of 100 ms or less; and at a price that is reasonably comparable to rates in urban areas. Further, in each of these blocks BHN: has deployed voice and broadband-capable physical assets in such block(s); holds itself out to the public as offering a service; and, is willing and able to provide service to a requesting customer within seven to ten business days without an extraordinary commitment of resources.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 28th day of August, 2015.



Roberta Segers
Vice President of Billing and CRM Services
Bright House Networks, LLC